

ASFA and Delinquency

Complying with Federal Requirements in Delinquency Cases

The Adoption and Safe Families Act (ASFA) is a federal law which has implications for delinquency cases as well as child welfare cases in Maryland.

ASFA

ASFA, enacted in 1997 as Pub. L. 105-89, amended federal foster care laws to emphasize child safety, permanency, and well-being. Those amendments are reflected in Titles IV-B and IV-E of the Social Security Act, 42 U.S.C. §§ 620-632, 670-679. States who comply with these provisions are eligible for federal foster care matching funds.

Federal Audits

Many judges, masters, and attorneys are familiar with the many requirements ASFA imposes on child welfare cases. The State of Maryland has been subject to several federal reviews including the Title IV-E audit and the Child and Family Services Review (CFSR) completed last year. As part of those reviews, federal evaluators examined court files and social services records to determine whether the state had been fulfilling the requirements of ASFA designed to promote child safety, permanency, and well-being. The state is now gearing up for

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A VICTORY FOR MARYLAND'S KIDS

The Judiciary's Second Child Welfare Bill Passes

The Foster Care Court Improvement Project, through the Judicial Conference, submitted for the third year, its termination of parental rights and adoption legislation. Senate Bill 710, *Permanency for Families and Children Act of 2005*, was the result of a major effort taken on by the CINA Subcommittee of the FCCIP. The CINA Subcommittee, chaired by Anne Arundel County Circuit Court Judge Pamela L. North, is a remarkable group of dedicated judges, masters, attorneys, and agency representatives from throughout the state who worked together to draft legislation that will provide more permanency and safety for children while giving parents more options in avoiding involuntary termination of parental rights.

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Jack Fino

Members of the CINA Subcommittee celebrated the bill's passage with a cake courtesy of Judge Pamela North.

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Leadership in the Law

Judge Patrick Woodward . . . A Lesson in Point



Pamela Cardullo Ortiz,
Executive Director
Family Administration

When I think of leadership I often revert to the economics anthropology course I took in college. I think fondly of the Papua New Guinea “big man” – who earned his prominence in the community by being the one to work longest and hardest in fields. I think of the Kwakiutl chiefs of the Pacific Northwest who demonstrated their prowess by being the ones to give away the most food, blankets and treasures at the community “potlatch.”

While these analogies may not be the most flattering, I think they exemplify the humble and hardworking leadership exhibited by Montgomery County Circuit Court Judge Patrick Woodward over the last 12 years in chairing the Foster Care Court Improvement Project’s (FCCIP) Implementation Committee.

Althea Stewart Jones interviewed Judge Woodward for the Fall 2002 issue of *Family Matters* (Vol. 2, No. 4). That article mentioned some of Judge Woodward’s many accomplishments in his role as chair. To those, he can now add the passage of Senate Bill 710, the *Permanency for Families and Children Act of 2005*, which is the final prong in the FCCIP’s seven year project to completely rewrite the CINA, TPR and adoption provisions of the Juvenile Causes Act. While the work was not his alone, Judge Woodward’s perseverance and leadership helped keep the spotlight on the issue and helped inspire the many other individuals who continued to work tirelessly for its passage.



Judge Woodward

It was fitting, then, that the same week the bill was passed by the General Assembly, Governor Ehrlich announced his appointment of Judge Woodward to the Court of Special Appeals. Judge Woodward has certainly worked hard “in the fields.” And few can be said to have given away more treasures – more time, more energy, and more commitment – in working to improve the impact courts have on the lives of children.

The Department of Family Administration extends warm kudos and many thanks to Judge Woodward. We know that Maryland children will continue to benefit from his expertise and tireless commitment as he begins his tenure on the Court of Special Appeals.

family matters

We welcome your comments and contributions.

Please call or write: Pamela Cardullo Ortiz, Exec. Director

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www.courts.state.md.us/family

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Second Biennial Alternative Dispute Resolution and CINA Court Conference

Child Welfare Alternative Dispute Resolution (ADR) Programs in Maryland

Allegany

Charlene Platter, Family Preservation Supervisor, Allegany County Department of Social Services, Program Development

Anne Arundel

Jennifer Cassel, Family Law Administrator, Circuit Court for Anne Arundel County Implementation

Baltimore City

Kim Bivens, Permanency Planning Liaison, Baltimore City Circuit, Court Program evaluation

Baltimore

Wendy Sawyer, Director, Office of the Family Mediation, Circuit Court for Baltimore County, Sustaining

Calvert

Patricia Veitch, Family Support Service Coordinator, Circuit Court for Calvert County, Sustaining

Carroll

Powell Welliver, Family Law Administrator, Circuit Court for Carroll County, Program Development

Charles

Ann McFadden, Family Support Services Coordinator, Circuit Court for Charles County, Program Exploration

Frederick

Victoria Jones, Permanency Planning Liaison, Circuit Court for Frederick, Program Development

Harford

Sharon Iannacone, Dir., Office of Family Court Serv., Sustaining

Howard

Michele Williams, Permanency Planning Liaison, Circuit Court for Howard County, Program Development

Montgomery

Suzanne Schneider, Family Division Coordinator, Circuit Court for Montgomery County, Program Evaluation

Prince George's

Robin Derwin, Circuit Court for Prince George's County; Ingrid Gist, Prince George's County Dept. of Social Services, Implementation

St. Mary's

Linda Grove, Family Support Services Coord., Circuit Court for St. Mary's County, Sustaining

The Department of Family Administration and the Foster Care Court Improvement Project sponsored the Second Biennial Alternative Dispute Resolution (ADR) & CINA Court Conference on May 13, at the Columbia Sheraton Hotel and Conference Center. The Conference brought together juvenile judges and masters; attorneys representing the children, agency, and parents; case managers; Court Appointed Special Advocates (CASAs); citizen review board members; family support service coordinators; and permanency planning liaisons. Additionally, for the first time, mediators currently participating in the various programs attended the conference. There were diverse participants from many professional disciplines from across the state in attendance.

The theme of this year's conference was "implementation to evaluation." There were morning plenary sessions on Child in Need of Assistance (CINA) families, the value of mediation, and how to sustain a mediation program. The afternoon was divided among four breakout sessions that covered topics such as best practices, nuts and bolts of CINA, and the new TPR and Adoption Statute. The mix of professionals led to a very lively and thought provoking day of information sharing that should lead to further program development.

The use of alternative dispute resolution in CINA court is not a new concept; nor are these programs limited to one or two large jurisdictions. There are currently 13 programs in 14 jurisdictions from across the state representing large, medium, and small jurisdictions.

Maryland has programs in various stages of development from exploration all the way to and including evaluation of the program. The FCCIP is committed to continuing to nurture the development of Alternative Dispute Resolution (ADR) in CINA court throughout the state. We look forward to the Third Biennial Conference in Spring 2007.

ASFA, from p. 1

the next round of the Title IV-E audit which will take place in November 2005, and efforts are underway to implement the Program Improvement Plan (PIP) developed as a result of last year's CFSR.

Many aspects of ASFA apply to delinquency cases. As the Judiciary and its agency partners prepare for the next round of reviews, it is important to ensure that delinquency orders and court files include appropriate findings as required by those federal laws.

Why Does ASFA Apply to Delinquency Cases?

There are many children involved with the juvenile justice system who have been or will be placed in foster care at some time, or who will at some point receive services through the child welfare system. States are eligible for federal matching funds for delinquent youth in the foster care system. 42 U.S.C. §672 provides that federal foster care matching funds may be paid for a child who is either placed in a foster home or in a child care institution. Child care institutions include state-licensed group homes of no more than 25 children; that excludes detention facilities, camps, or training schools primarily for children determined to be delinquent.

Because a child who has been removed from the home in a delinquency case may someday end up in a foster home or child care institution, and because many of the findings required by ASFA must be made the first time a child is removed from the home, those findings must be made in a detention

order or other court order as a part of the delinquency case. This ensures that the state can at some point in the future receive federal foster care funds.

Required Findings

There are three types of findings that are required in delinquency cases: "Contrary to the welfare" ; "Reasonable efforts to prevent removal" and "Reasonable efforts to finalize a permanency plan".

Contrary to the Welfare

The court must make a determination that continuation in the home would be contrary to the welfare of the child, in order for the state to be eligible for federal foster care matching funds. This is also called a "best interests finding," i.e., it is in the child's best interest that he or she be removed from the home – with an emphasis on "child." This finding must be made in the first order authorizing the child's removal from the home.

In a delinquency case, this may require that the court include its ruling on that issue in a detention order. The finding must be case specific and must be tied to the well-being of the child, not just the well-being of the community. A finding that it is "contrary to the welfare of the child to leave the child in the home because the child is a threat to the community" would not satisfy the federal requirement because it does not relate to the child's well-being. Specific facts must be used to demonstrate the conclusion reached by the court.

[cont. on next pg.](#)

mark your calendar

July 25-27, 2005	20 Hour Child Access Mediation Course Annapolis, MD	Jennifer Keiser 410/260-1580
September 23, 2005	The Impact of Addiction & Substance Abuse on Children, Families, Family Courts, and Communities. Timonium, MD	Sharon Curley 410/837-5615
October 14, 2005	Representing Children: An Eastern Shore Family Court Conference. Cambridge, MD	Karen Brimer 410/651-4618
October 17-19, 2005	8 th Annual Child Abuse, Neglect & Delinquency Options Conference, Rocky Gap, MD	Tracy Watkins-Tribbitt 410/260-1272

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Reasonable Efforts to Prevent Removal

ASFA also requires courts to determine whether the state agency made reasonable efforts to prevent a child's removal from the home. 42 U.S.C. § 671(a)(15). This finding must be made within 60 days from the date the child is first removed from the home. 45 C.F.R. §1356.21(b)(1). Even though the finding may be made up to 60 days after removal, the reasonable efforts to prevent removal must have been made before the child was actually removed. Federal law and regulations do not specify what constitutes reasonable efforts to prevent removal but these might include, e.g., actions the agency took to evaluate other services (educational, therapeutic, etc.) that might have enabled the child to remain in the home, the use of alternative dispute resolution, requiring restitution, or assessing the availability of relative care providers, mentors, or support programs.

There are some specific exceptions to this requirement. A state agency is not required to make reasonable efforts to prevent removal if a court of competent jurisdiction has found that: 1) the parent subjected the child to aggravated circumstances as defined in state law; 2) the parent has been convicted of one of several crimes against another child or parent (murder, voluntary manslaughter, aiding/abetting/conspiring/soliciting murder, or voluntary manslaughter, felony assault resulting in serious bodily injury); or 3) the parent's rights to a sibling have been terminated.

Reasonable Efforts to Finalize a Permanency Plan

Children who have been found delinquent and status offenders who are in eligible foster care must have permanency hearings. The first permanency hearing must take place within one year of the date the child entered foster care. The regulations provide that a child is considered to have entered foster care 60 days after removal, or at the first court finding of abuse or neglect, whichever comes first. 45 C.F.R. §1355.20. For children found delinquent and placed directly in a foster home or child care institution, this will be 14 months after they were first removed (60 days plus one year). Once a child is in foster care, the court must determine whether the agency made

reasonable efforts to finalize a permanency plan for the child. This finding is made at the first permanency hearing.

If a delinquent child is first placed in a non-eligible facility, then the date the child is considered to have entered foster care becomes the date the child first entered an eligible facility. The first permanency hearing will be held within 12 months of that eligible placement.

After the first permanency hearing, subsequent permanency hearings and the requisite finding must be made every 12 months thereafter.

TPR Provisions Apply

Finally, note that the provisions of ASFA designed to encourage states to move appropriate cases quickly forward toward termination of parental rights apply in delinquency cases. As in child welfare cases, the state must file a TPR petition for children who have been in eligible foster care for 15 of the last 22 months. Time spent in non-eligible care, at home, or on runaway status, does not count towards that time. 45 C.F.R. §1356.21(i).

Form Orders

Form orders should be designed to ensure that judges and masters make the required findings detailed above. The Department of Juvenile Services has been working with individual courts to assist them in designing orders that promote compliance with these provisions. For additional information or sample orders, contact Maurice Wood, Administrator, Youth Assistance Unit, DJS, at 410/230-3356 or Pamela Cardullo Ortiz, Executive Director, Department of Family Administration, at 410/260-1580.

The impact of ASFA on delinquency cases will be a topic at the upcoming Child Abuse, Neglect, and Delinquency Options (CAN DO) Conference, scheduled for Oct. 17-19.

This article was drawn in part from: Rauber, Diane Boyd, *Making Sense of the ASFA Regulations: A Roadmap for Effective Implementation*. Washington, DC: American Bar Association, 2001.



Servicemembers Civil Relief Act and It's

The Servicemembers Civil Relief Act (SCRA) was enacted Dec. 19, 2003, to modify and modernize the Soldiers' and Sailors' Civil Relief Act of 1940 (SSCRA). The purpose of the new act is "to provide for the temporary suspension of judicial and administrative proceedings and transactions that may adversely affect the civil rights of servicemembers during their military service." 50 U.S.C. App. 502. Although Maryland courts are familiar with SCRA and are applying it to general civil cases, there has been some discussion and question as to its applicability in CINA and related TPR and adoption cases. Other states have tested and answered this question. The final answer is YES, SCRA does apply to CINA and related cases.

Although the law is divided into several titles, only the procedural titles (Title I and II) are highlighted in this article. The initial procedural protections of SCRA fall into two defined categories:

A. Servicemember does not make an appearance: protection of servicemembers against default judgments

- Before entering a default judgment, the court shall require the plaintiff to file with the court an **affidavit** stating whether or not the defendant is in military service, or whether or not the plaintiff can determine the military status of the defendant and showing necessary facts to support the affidavit.
- If it appears that the defendant is in military service, the court may not enter a judgment until after the **court appoints an attorney** to represent the defendant.
- In an action in which the defendant is in military service, the court shall grant a **stay of proceedings** for a minimum period of 90 days upon application of counsel, or on the court's own motion, if the court determines that: (1) there may be a defense to the action and a defense cannot be presented without the presence of the defendant; or (2) after due diligence, counsel has been unable to contact the defendant or otherwise determine if a meritorious defense exists.

- If a default judgment is entered in an action against a servicemember during the servicemember's period of military service, the court entering the judgment shall, upon application by or on behalf of the servicemember, **reopen the judgment** for the purpose of allowing the servicemember to defend the action if it appears that:

(1) the servicemember was materially affected by reason that (is there an extra or missing word here? This phrase seems to be unclear?) military service in making a defense to the action; and (2) the servicemember has a meritorious or legal defense to the action or some part of it.

It is important to note that the stay of an action, proceeding, attachment, or execution made pursuant to SCRA and this provision may be ordered for the period of military service and 90 days thereafter, or for any part of that period. 50 U.S.C. App. 525.

B. Servicemember has received notice of the action or proceeding: (Stay of Proceedings when servicemember has Notice – 50 U.S.C. App. 522)

- At any stage before final judgment in a civil action or proceeding in which a servicemember is a party, the court may on its own motion and shall, upon application by the servicemember, **stay the action** for a period of no fewer than 90 days, if the following conditions are met:
 - (A) a letter or other communication setting forth facts stating the manner in which current military duty requirements materially affect the servicemember's ability to appear and stating a date when the servicemember will be available to appear.
 - (B) a letter or other communication from the servicemember's commanding officer stating that the servicemember's current military duty prevents appearance and that military leave is not authorized for the servicemember at the time of the letter.
- The stay is renewable. If the court refuses to grant an additional stay of proceedings the **court**

Applicability to CINA and Related Cases

shall appoint counsel to represent the servicemember in the action or proceeding.

- A servicemember who applies for a stay under this section and is unsuccessful may not seek the protections afforded in §App. 521—the servicemember does not make an appearance provisions.

Impact on Statutes of Limitations

The last critical point to be aware of is SCRA's statute of limitations. The period of a servicemember's military service may not be included in computing any period limited by law, regulation, or order for the bringing of any action or proceeding in a court, or in any board, bureau, commission, department, or other agency of a state (or a political subdivision of a state) or the United States by or against the servicemember. 50 U.S.C. App. 526.

Waiver

Note that the rights and protections conferred by SCRA may be waived by the servicemember. The waiver in most instances must be made after the servicemember's military service has begun. 50 U.S.C. App. 517.

Applying SCRA

In a nutshell, juvenile courts, like general civil courts, must apply SCRA in CINA and related cases. Courts can do this by questioning the petitioner regarding the whereabouts of parents, ensuring that counsel is provided and acquiring the affidavit regarding the diligent search. These questions may arise and require the court to consider a stay of the proceedings. How that affects the timelines and the best interests of the child may also be important issues generated by SCRA. A synopsis of SCRA decisions in other states regarding dependency/child welfare under the former Soldiers and Sailors Civil Relief Act is provided below.

SCRA was drafted to protect servicemembers' rights during military service. The expressed purpose of SCRA is "to provide for, strengthen, and expedite the national defense through protection extended by SCRA to servicemembers of the United States to

enable such persons to devote their entire energy to the defense needs of the Nation." 50 U.S.C. App. 502. While the case law synopsis indicates that the provisions of SCRA apply, juvenile courts must integrate these provisions in the CINA arena, and simultaneously, weigh what is in the "best interests" of the child. It is important that the courts become familiar with the provisions of SCRA to ensure they are accurately followed and to promote the timely resolution of these critically important cases which affect the lives of Maryland families and children.

[Olsen v. Davidson](#), 350 P.2d 338 (Colo. 1960)

Issue

Did Navy service member have sufficient legal notice or knowledge of abandonment, needs of children, and dependency proceeding that took place before adoptions of his three children?

Rule

SSCRA of 1940 does not apply when there is a showing of service of process and convincing evidence of waiver of rights.

Analysis

No notice of adoption was required since father waived his rights – failed to contact wife even though he was given extended emergency leave, telegrams were sent to him, notice of adoption hearing was sent to his proper address, trial judge personally wrote father.

Conclusion

Father deliberately waived his right to notice, abandoned his children, therefore SSCRA of 1940 is inapplicable.

[In re Melicia L.](#),
207 Cal. App.3d 51 (1988)

Issue

In dependency proceedings, should SSCRA have been applied and reunification period tolled?

Rule

Plaintiff or defendant military service member, w/in service period or 60 days thereafter, can petition court action or

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Child Welfare Bill Passes, from p. 1

Among other things, Senate Bill 710:

- Provides additional due process clarifications and protections, thereby reducing litigation and enabling parents to maintain their dignity throughout the process;
- Gives the courts more oversight and helps ensure that all federal requirements relating to child welfare cases are met;
- Affords judges, masters, practitioners, and others the ability to look in one section and chronologically follow the legal process for the type of proceeding in which they are involved;
- Specifies the hearings that must be held and the documents to be filed for each proceeding;
- Makes clear the substantive legal distinctions between involuntary termination of parental rights and voluntary relinquishments; and
- Enables the courts and practitioners to better serve the children and families involved in the TPR/adoption process.

The bill was signed by the Governor; it becomes effective Jan. 1, 2006. This will enable the courts and practitioners to familiarize themselves with the new law. Congratulations again to all those who made passage of this bill a reality!

"As chair of the CINA Statute subcommittee, I am very proud of the tireless efforts of all our committee members and consultants over the last five years. The committee is comprised of top-notch experts in the child welfare field. On behalf of the committee, I can state that we feel confident the new TPR and Adoption statutes bring about long needed revisions and improvements to existing law which will benefit Maryland's children. We are very grateful to the legislature for passing this legislation."

Hon. Pamela North, Circuit Court for Anne Arundel County,
Chair, CINA Subcommittee, FCCIP



Members of the CINA Subcommittee and Consultants



Jack Fino

Bottom Row: Althea R. Stewart Jones, Esq., Hon. Pamela L. North, Hon. Joseph H.H. Kaplan.
2nd Row: Pamela C. Ortiz, Esq., Tracy Watkins-Tribbitt, MSW; Donna Briggs, Master Cynthia Ferris, Hope G. Gary, Esq., Melanie Klein. 3rd Row: Beverly S. Schulerbrandt, Esq., William Howard, Ed.D, Catherine Shultz, Esq., John Greene, Esq. Missing: Hon. William O. Carr, Hon. Brett Wilson, Master Ann Sparrough, Master Peter Tabatsko, Charles Cooper, Rhonda Lipkin, Esq., Edward Kilcullen, Charlotte Giles, Esq., Sharon Gottlieb, Esq., Dawn Musgrave, Esq., Stephanie Pettaway, Vanita Taylor, Esq., Darlene Wakefield, Esq., Vicki Wolfson.

Servicemembers and CINA, from p. 7

proceeding to be stayed, w/in court discretion to stay, unless ability of plaintiff or defendant not materially affected by reason of military service, depends on facts/circumstances of each case.

Analysis

No evidence of request for a stay or duty of court to stay matter on own motion.

Conclusion

No relief could be granted under SSCRA.

In re Sarah C. ,
8 Cal. App. 4th 964 (1992)

Issue

In permanency planning proceedings, should reunification period have been tolled under SSCRA while father served in Navy?

Rule

Plaintiff or defendant military service member, w/in service period or 60 days thereafter, can petition court action or proceeding to be stayed, w/in court discretion to stay, unless ability of plaintiff or defendant not materially affected by reason of military service, depends on facts/circumstances of each case.

Analysis

Even though father was in military during reunification period and did not know of juvenile court proceeding, since he did not request a stay, he does not have protection under SSCRA.

Conclusion

No relief could be granted under SSCRA.

Christine M. v. Superior Court ,
69 Cal. App. 4th 1233 (1999)

Issue

In placement proceedings, was request for stay of proceedings under SSCRA improperly denied?

Rule

Plaintiff or defendant military service member, w/in service period or 60 days thereafter, can petition court action or proceeding to be stayed, w/in court discretion to stay, unless ability of plaintiff or defendant not materially affected by reason of military service, depends on facts/circumstances of each case.

Analysis

Father showed no interest in keeping contact with child while in service, did not write, call, visit, lacked interest, did not personally appear at any hearing. A stay would only prohibit timely progress of minor toward stable placement, balance rights of parent v. child's interests. Request for stay under SSCRA was properly denied.

Louis J. v. Superior Court ,
103 Cal.App.4th 711 (2002)

Issue

In child protection proceedings, was request for stay of proceedings under SSCRA improperly denied?

Rule

Plaintiff or defendant military service member, w/in service period or 60 days thereafter, can petition court action or proceeding to be stayed, w/in court discretion to stay, unless ability of plaintiff or defendant not materially affected by reason of military service, depends on facts/circumstances of each case.

Analysis

Purpose of Act is to avoid prejudice to civil rights of active service members. Will not overrule trial court decision unless it is arbitrary, capricious, patently absurd. Father was informed of dependency proceedings from the start. No action to take physical custody of children over 20 month period. Further delay of proceedings not in child's best interests.

Conclusion

Request for stay under SSCRA was properly denied.

In re Brianna L. ,
2003 WL 220559 (Cal. Ct. App.)

Issue

In terminating father's parental rights, did court improperly fail to apply stay protections of SSCRA?

Rule

Plaintiff or defendant military service member, w/in service period or 60 days thereafter, can petition court action or proceeding to be stayed, w/in court discretion to stay, unless ability of plaintiff or defendant not materially affected by reason of military service, depends on facts/circumstances of each case.

Hispanic Organizations Learn about Court Resources for Spanish Speakers

Representatives from the many Maryland organizations designed to serve the needs of Hispanics had an opportunity to learn about resources available to their clients through the Maryland courts. An orientation session hosted by the Department of Family Administration on March 31 introduced participants to a broad range of programs and resources that are available for Spanish speakers.

Pamela Ortiz, the Department's Executive Director, provided a brief overview of the domestic relations forms now available in a Spanish-English bilingual format. She walked participants through the forms interface and family law web pages available in Spanish at www.courts.state.md.us/family. "While Spanish speakers may not all have access to the Internet, our hope is that your community-based organizations can serve as a link to these and other resources for the Hispanic community," Ortiz said.

Elinor Walker of the Circuit Court for Montgomery County described the "family law self-help centers" available in each Maryland circuit court. Several centers, including Montgomery County's, have Spanish-speaking paralegals and attorneys.

Participants also heard from Danielle Cover of the Women's Law Center of Maryland. The Women's Law Center now offers their "Family Law Forms Helpline" in Spanish each Monday morning. Cover also introduced participants to the Center's ME-DOVI project – Multi-Ethnic Domestic Violence Project. That project provides advocacy and education to survivors of domestic violence in immigrant communities. Non-English speakers who have been abused by a family member or an intimate partner can obtain orders of

protection and obtain help in addressing related legal needs, including help with immigration issues.

Deborah Unitus and Linda Etzold, both of the Program Services Unit at the Administrative Office of the Courts, discussed the Judiciary's Interpreter Services Program. Interpreters are provided free of charge for all non-English speakers in civil and criminal matters in the Maryland courts. Interpreter services are also provided free of charge for court-ordered services and treatment. The Program Services Unit provides training, testing, and certification for interpreters serving the Maryland courts.

Other presenters included Patty Perez, the Circuit Court for Prince George's County liaison for the Hispanic community and for self-represented litigants; Karen Dalichow of the Law Foundation of Prince George's County's Latino Legal Access Project; and Carlos Camino of the National Family Resiliency Center. Camino described the *Programas de Educación Para Padres y Madres*, a Spanish-language version of the Center's co-parenting course, currently offered in Prince George's County.

Program attendees on March 31 included representatives from a broad range of organizations including the Governor's Commission on Hispanic Affairs, *Centro de Ayuda*, the Foreign Born Information & Referral Network, the Hispanic Apostolate, the Domestic Violence Project for Immigrant Women, Casey Family Services, the YWCA, as well as a variety of social services agencies, legal service providers, State's Attorney's Offices, and delegates' offices.

For additional information on services for Spanish and other non-English speakers available in the courts, contact the Department of Family Administration at 410/260-1580 or visit the Department's Web site at www.courts.state.md.us/family.



William Howard, Ed.D.

Carlos Camino of the National Family Resiliency Center tells participants about that organization's Spanish-language co-parenting course.



Committee on Family Law Update

During the Spring of 2005, the Committee on Family Law and its subcommittees were primarily engaged in reviewing family and juvenile bills filed during the 2005 Legislative Session. Additionally, the committee worked on the following initiatives:

Screening Protocol and Tools

The committee reviewed a screening protocol and tools designed to assist courts in appropriately identifying domestic cases for mediation. The Domestic Violence Subcommittee had reviewed the tool earlier, making minor modifications. The committee approved the document and recommended that it be presented to the Conference of Circuit Judges for final approval. It was subsequently approved by that body.

Senior Mediation/Guardianship

The committee was briefed on a project of the Maryland Department of Aging. With a grant from the Maryland Mediation and Conflict Resolution Office, consultant Robert Rhudy will be working with the department to promote the use of alternative dispute resolution among seniors. As a part of that initiative, Rhudy hopes to work closely with the Judiciary to promote the use of mediation in guardianship cases.

Child Support Subcommittee

The subcommittee met to consider legislation during February and March. The subcommittee also approved changes to the Earnings Withholding Order and made plans to continue working on enforcement issues.

Custody Subcommittee

At its February meeting, the subcommittee completed work on a draft document Maryland Standards of Practice for Court-appointed Lawyers Representing Children in Custody Cases. The subcommittee finalized the draft and presented it to the full Committee on Family Law where it was approved and endorsed. The document will be submitted in Fall, 2005, to the Conference of Circuit Judges for final approval.

Domestic Violence Subcommittee

The Domestic Violence Subcommittee reviewed the Screening Protocol and Tools, referenced above, before forwarding them to the full committee for review. The subcommittee has also completed a revision of the Judge's Domestic Violence Manual at the request of the Benchbook Revision Oversight Committee. The document is currently in draft form.

Juvenile Subcommittee

The Juvenile Law Subcommittee reviewed and made recommendations to the Family Law Committee on more than 50 pieces of legislation this session. The subcommittee is close to completing the agenda for the delinquency day of the annual Child Abuse, Neglect, and Delinquency Options Judicial Conference which will be held at Rocky Gap Lodge and Golf Resort from Oct. 17-19.

Chair Erica J. Wolfe, on behalf of the subcommittee, will write a letter to Court of Appeals Chief Judge Robert M. Bell inquiring about the status of the Juvenile Rules. The subcommittee will also propose legislation to speed up the process of how the Department of Juvenile Services (DJS) forwards formal complaints to the Office of the States Attorney's to be processed into petitions.



FCCIP Completes Second Statewide Tour of Multi-Disciplinary Meetings

The Foster Care Court Improvement Project (FCCIP) staff recently completed a round of statewide meetings to reinforce the Judiciary's efforts to comply with federal mandates that support children's needs for safety, permanency, and well-being.

From November 2004 through January 2005 the FCCIP staff, along with representatives from the Office of the Public Defender, the Office of the Attorney General, the Legal Aid Bureau, the Law Office of Darlene Wakefield, and the Department of Human Resources traveled throughout the state reporting on recent federal audit outcomes and facilitating discussions regarding Best Practices.

The specific purpose of this second round of Multi-Disciplinary Training Meetings was to offer an overview and subsequent results of the Federal Child and Family Service Review emphasizing the Court-Related Citations, to provide the status of the most recent Title IV-E audit, and to provide a forum of discussion on potential areas of concern for the state. The regional meetings were held in following counties; hosts indicated in bold.

Group I, Nov. 5, 2004, **Allegany**, Washington, and Garrett

Group II, Nov. 19, 2004, **Charles**, Calvert, Anne Arundel, Prince George's, and St. Mary's

Group III, Dec. 3, 2004, **Dorchester**, Talbot, Caroline, Cecil, Kent, Queen Anne's, Somerset, Wicomico, and Worcester

Group IV, Dec. 10, 2004, **Baltimore City**

Group V, Jan. 21, 2005, **Baltimore**, Carroll, and Harford

Group VI, Jan. 28, 2005, **Montgomery**, Howard, and Frederick

Some of the issues or concerns that have affected Maryland's Federal Child and Family Services Review, Title IV-E review, and the overall processing of child welfare cases are: inadequate judicial determinations and court orders, frequent continuances, lack of early identification and location of parents, lack of concurrent planning, inappropriate use of Another Planned Permanent Living Arrangements (APPLA), and lack of adequate hearing notification to caretakers/foster parents regarding their opportunity to be heard.

Each of these issues was addressed during the Regional Multi-Disciplinary Training Meetings and yielded much discussion regarding current practice in Maryland. These meetings were instrumental in highlighting those areas in which practitioners are in compliance, and those areas needing improvement. Attendees were encouraged to continue to provide the best, most efficient services possible to children and families, while adhering to the federal guidelines.

A more detailed report regarding the outcome at each of these meetings was created and released by the FCCIP in April 2005. To receive a copy of the report or to forward any questions or comments, contact Tracy Watkins-Tribbitt at 410/260-1272.

Servicemembers and CINA, from p. 9

Analysis

Father did not raise this issue in trial, so could not do so in appeal. Even if he had raised it, court would not have abused its discretion had it denied. No absolute right to a stay. Father was represented throughout proceedings. He knew of proceedings but just did not want to participate.

Conclusion

Since father's service did not prevent him from participating in proceedings or asserting a defense, SSCRA protections were inapplicable.



Baltimore's Juvenile Detention Alternative Initiative (JDAI): Making Detention a Last Resort

Too many Maryland youth not only encounter the criminal justice system at an early age, but also come face-to-face with the harsh realities of confinement. Often the experiences encountered during that confinement or detention period alter their psyche in such a manner that it leads to a life of aberrant behavior. Nowhere in Maryland is that vicious cycle more prevalent than in Baltimore City.

Baltimore City courts, agencies, and juvenile justice partners have begun to ask that question in a concerted way. In collaboration with the Annie E. Casey Foundation, the Circuit Court for Baltimore City Juvenile Division, under the leadership of Judge Martin P. Welch, assumed leadership for Baltimore's Juvenile Detention Alternative Initiative (JDAI) in December 2002.

Acknowledging that cooperation, coordination, and collaboration are critical, the Circuit Court for Baltimore City, Family - Juvenile Division, the Maryland Department of Juvenile Service (DJS), the Office of the State's Attorney for Baltimore City, the Office of the Public Defender, the Baltimore City Police Department, the Maryland Department of Human Resources (DHR), the Baltimore City Department of Social Services (DSS), and the Baltimore City Board of School Commissioners signed a memorandum of understanding in December 2002.

All involved have agreed to continue to cooperate, coordinate, and collaborate on key issues including case processing, detention reform, management information systems, prevention, early intervention services, the integration of services, the nexus between delinquency and Child in Need of Assistance CINA cases, and the well being of all children and families who come into contact with the Justice Center.

The partners also agreed, where appropriate, to pilot new initiatives and evaluate their success based upon data collected on the new initiatives.

The goals of JDAI are to:

1. Provide overall coordination to interagency efforts to reduce inappropriate and unnecessary use of secure detention;

2. Through a multi-agency collaborative and other working committees and forums, review and revise agency policies and procedures, staff deployment, training opportunities, and information systems to support the implementation of specific detention reform strategies;

3. Refine strategies to reduce inappropriate and/or unnecessary use of secure detention without sacrificing public safety, such strategies to include: (a) improved and objective admissions risk screening (e.g., RAI); (b) new or enhanced community-based alternatives to detention; (c) case processing improvements that reduce the length of stay and minimize unnecessary delays in the administration of justice; (d) new approaches to handling writs, warrants, violations of probation, and "awaiting placement" cases; (e) routine management reports that track relevant outcomes and the impact of specific reform strategies; and (f) routine monitoring of conditions of confinement.

Six work groups have been formed to implement the program:

Delinquency Case Processing Work Group - As a result of this group's efforts, the average case processing time from arrest to disposition (non-emergency) has been reduced from seven months to 75 days.

Nexus Between Delinquency and Child Welfare Work Group - The Family League of Baltimore and the Child Welfare League of America are developing early intervention strategies.

Alternatives to Detention Work Group - This work group will identify alternatives to detention and develop early reporting centers that will be community-based.

Conditions of Confinement Work Group - Detention will be used where appropriate but the conditions of confinement must meet national standards.

Gender Specific Work Group for Females - This work group will look at existing services that may not be appropriate for females, and explore new services.

cont. on next page

Grants Promote Child Support Innovation

Under the Judiciary's cooperative reimbursement agreement with the Child Support Enforcement Administration, the Judiciary receives additional incentive funds that can be used to enhance the courts' ability to promote child support establishment and enforcement. These funds are made available to individual courts through Child Support Incentive Fund Grants. The program is administered by the Conference of Circuit Court Clerks and staffed by the Department of Family Administration.

On March 22, the Conference of Circuit Court Clerks met and approved Child Support Incentive Fund Grants based on applications received by March 4. The following grants were approved:

- Family Division - Circuit Court for Baltimore City, *Child Support Video*. This informational video will instruct listeners on establishment of child support, calculation of child support, modification of child support and enforcement of orders. The video will be shown to the general public in the Family Division waiting areas. \$3,000.
- Somerset County Family Services Program, *Children Need Love and Support*. This public awareness project will involve renting a billboard on Route 13 in Somerset County. The billboard will refer the public to Somerset County Child Support Services or Family Services for assistance with child support issues. \$8,000.

- Clerk of the Circuit Court for Allegany County, *Brochure Rack and Fax Machine*. This grant will allow for the purchase of a brochure rack to display child support brochures and the purchase of a fax machine for use by the child support department. \$946.
- Clerk of the Circuit Court for St. Mary's County, *PaperFlow Licenses and Shipping*. This grant will allow for the purchase of additional licenses for PaperFlow software which allows the Clerk's Office to scan paternity files and retrieve documents electronically. The grant will also assist in the cost of shipping files that have been scanned to the Maryland State Archives. \$4,000.
- Circuit Court for Caroline County, *Fatherhood For Now*. This fatherhood program provides a comprehensive and coordinated approach to building a strong and lasting capacity in fathers to support their children. This grant supplements funding provided by the Circuit Court, the Family Support Center, the Human Services Council (Local Management Board), the Caroline County Counseling Center and Prevention Office, Mosaic Connection, and Mental Health Services. \$25,000.

Additional grant applications are being held for further consideration until the Judiciary receives its next disbursement of incentive funds, expected in the next few months.

JDAI, from p. 13

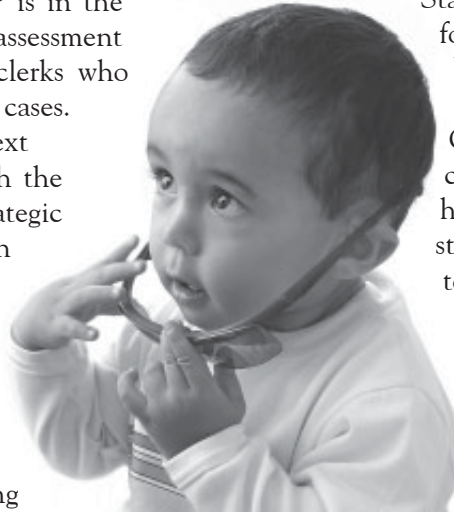
Disproportionate Minority Confinement (DMC) Work Group - Every decision concerning confinement should be made through the lens of DMC.

JDAI efforts from January 2004 to January 2005 have resulted in 50 percent fewer youths detained in Baltimore City. According to Judge Welch, the reason JDAI works so well in Baltimore City is because of the unique effort by the court to bring all the entities together to work toward a common goal as equal partners. Richard Friedman, JDAI's coordinator for Baltimore City, concurs. "JDAI is the best strategy to address key issues in juvenile delinquency that I have seen in 40-plus years working in criminal justice."

Foster Care Court Improvement Project (FCCIP) Update

The Foster Care Court Improvement Project sponsored its second biennial Alternative Dispute Resolution (ADR) and Child in Need of Assistance (CINA) Court Conference on May 13 at the Sheraton Columbia Hotel and Conference Center.

As part of the reassessment due to the federal government on June 30, the FCCIP is in the process of completing a workload assessment for judges, masters, attorneys, and clerks who are involved in CINA and related cases. The results will be shared in the next newsletter. In an effort to assist with the implementation of the FCCIP's strategic plan, the American Bar Association (ABA) evaluation recommendations, and the Program Improvement Plans that emanated from the federal reviews, the FCCIP will be working more closely on site with the local courts. A protocol is currently being developed.



CINA Subcommittee

The TPR/Adoption legislation, Senate Bill 710, Permanency for Families and Children Act of 2005 has passed, with amendments in both the Senate and the House. It is expected to be signed by Gov. Roberterhor Ehrlich in May 2005. Congratulations to all the members and consultants of the CINA Subcommittee.

Representation Subcommittee

The Representation Subcommittee is beginning to discuss developing standards of representation for attorneys representing the Department of Social Services (DSS) and parents. They are reviewing national standards, as well as other states' standards. The Subcommittee continues to work on the appellate process for CINA and related cases. For more information regarding the Representation Subcommittee, please contact Hope Gary, Esq., FCCIP Specialist at 410/260-1728.

Statistics Oversight Subcommittee

The Statistics Oversight Subcommittee has developed a "Quality Assurance Protocol" that will assist the FCCIP in ensuring the integrity of the data that is being put into the various juvenile database systems throughout the state. For years, the Statistics Oversight Subcommittee has been focusing on developing a reliable, comprehensive database system to capture information relevant to the processing of CINA and related TPR and adoption cases. The FCCIP is coming close to having a reliable system to house statewide statistics in this area. The next endeavor is to assure that what is going in the system is reliable so that what comes out of the system is reliable. The quality assurance protocol focuses on "onsite auditing" of the data and is likely to be integrated into the overall onsite protocol being developed by the FCCIP.

Training Subcommittee

The Training Subcommittee just sponsored its annual Judicial Institute Course on March 17. Master Erica Wolfe, Circuit Court for Anne Arundel County, and Master James Casey, Circuit Court for Baltimore City, were the faculty for the beginning CINA course. Although a small class, the course was substantive and full of lively discussion. The Training Subcommittee continues to finalize the planning for the Child Abuse, Neglect, and Delinquency Options (C.A.N.D.O.) Conference scheduled for Oct. 17-19. Registration packets have been distributed with registration closing in June. All courts are reminded to update, as appropriate, their list of judges and masters who hear CINA and related matters.

For more information or questions regarding the conference, please contact Tracy Watkins-Tribbitt, MSW, Assistant Director of the FCCIP at 410/260-1272. For information regarding the delinquency portion of the conference, please contact William Howard, Ed.D., Assistant Administrator at 410/260-1298.

Recent Family Law Decisions



Family Matters highlights recent reported decisions of the Maryland Court of Appeals and Court of Special Appeals that address family law issues. Copies of reported opinions are available online at <http://www.courts.state.md.us/opinions.html>.

COURT OF APPEALS

Child in Need of Assistance (CINA)

In re Samone H. and Marchay E., No. 30, September Term, 2004. Filed Feb. 9, 2005. Opinion by Battaglia, J.

A court order denying a motion for an independent study during a permanency plan review hearing in which the plan remains unchanged is not an appealable final judgment under Section 12-303(x) of the Courts and Judicial Proceedings Article of the Maryland Code.

Mother had moved that the court order an independent evaluation of the bonding between the mother and two children who had been declared Child in Need of Assistance (CINA). The court's denial of the motion would only be appealable as an interlocutory order under Section 12-303(x) if it deprived the mother of her right to care and custody of the children or changed the terms of her parental rights. Here the judge continued the permanency plan already in effect, and increased mother's visitation.

Similarly, the trial court did not err in quashing the subpoenas for the children to testify at the permanency planning review hearing and declining to hear the children *in camera*.

The order continuing the plan did not adversely affect mother's parental rights or change the terms of the plan to her detriment. Thus, the trial judge's actions are not appealable.

Custody

McDermott v. Dougherty, et. al., No. 58, September Term, 2004. Filed March 10, 2005. Opinion by Cathell, J. with which Wilner, J. concurs.

In disputed custody cases where private third parties are attempting to gain custody of children from their natural parents, the trial court must first find that both natural parents are unfit to have custody of their children or that extraordinary circumstances exist which are significantly detrimental to the child remaining in the custody of the parent or parents, before a trial court should consider the "best interests of the child" standard as a means of deciding the dispute.

Here the trial court had awarded custody to the child's maternal grandparents on their petition, after finding the mother "unfit." The court had found that the father's employment in the merchant marine, requiring him to spend months-long intervals at sea, constituted "exceptional circumstances" as defined in *Ross v. Hoffman*, 280 Md. 172, 191, 372 A.2d 583, 593 (1977).

Under circumstances in which there is no finding of parental unfitness, the requirements of a parent's employment, such that he is required to be away at sea, or otherwise appropriately absent from the state for a period of time, and for which time he or she made appropriate arrangements for the care of the child, do not constitute "extraordinary or exceptional circumstances" to support the awarding of custody to a third party.

The case includes a comprehensive history of the fundamental right of parents to make decisions concerning the care, custody, and control of their children.

The case includes a comprehensive summary of the history of parental custody rights. It also



Recent Family Law Decisions



includes a thorough evaluation of where the various states stand on their use of the best interest standard in third party custody disputes, and the interplay between best interest, unfitness, and exceptional circumstances in those states. The court takes a step back from Shurupoff v. Vockroth, 372 Md. 639, 814 A.2d 543 (2003) to clarify that Maryland is firmly in the camp of the majority of states who require a finding of either unfitness or exceptional circumstances detrimental to the welfare of the child before applying the best interest of the child standard in custody disputes between a natural parent and a third party.

Concurring Opinion

In his concurring opinion, Judge Wilner asserts that the outcome of the majority is correct, but that the lengthy opinion in the case simply restates what was more simply stated in *Ross v. Hoffman*, 280 Md. 172, 372 A.2d 582 (1977), viz., that the best interest standard is always determinative and that in a dispute between a natural parent and a third party, there is a rebuttable presumption that it is in the child's best interest to remain in the care of the natural parent. That presumption can only be overcome by a showing of unfitness or that there are exceptional circumstances making parental custody detrimental to the child.

Termination of Parental Rights

In re: Adoption/Guardianship of Victor A., No. 72, September Term, 2004. Opinion by Battaglia, J. Filed April 12, 2005.

In a termination of parental rights proceeding, the trial judge may consider long-term placement options for children with special needs; however, the existence of special needs does not independently enter into the court's decision to terminate the parental rights.

Once the court determined that the child was a CINA, the court need not have addressed the additional circumstances in Md. Code Fam. Law Ann. § 5-313(a)(3). Here the trial court went on to erroneously consider whether a continued relationship with the natural parents would impede the

child's prospects for a future adoption or permanent home. Case remanded to the trial court to make the requisite findings in support of any decision to terminate the parent's parental rights based upon Md. Code §§ 5-313(c) and (d) of the Family Law Article in the best interests of the child.

COURT of SPECIAL APPEALS

Child in Need of Assistance (CINA)

Howard Co. Department of Social Services v. Linda J., No. 178, September Term, 2004. Filed Feb. 28, 2005. Opinion by Krauser, J.

A guilty plea entered to obtain probation before judgment is a finding of guilt for the purposes of determining whether an individual is entitled to a contested case hearing to appeal a finding of indicated child abuse or neglect under Section 5-706.1(b)(i) of the Family Law Article of the Maryland Code

The mother in this instance had pled guilty to one count of second degree assault and received probation before judgment in a matter arising out of alleged child abuse. The Howard County Department of Social Services had previously found her responsible for "indicated child abuse." This would have resulted in her name appearing in the agency's central registry of suspected child abusers. Challenging the department's finding, the mother requested a contested case hearing.

Upon the conclusion of the criminal case, the Administrative Law Judge properly dismissed the request pursuant to E.L. §5-706.1(b)(3)(ii). That provides that if the individual requesting the hearing is "found guilty," the administrative appeal shall be dismissed. The legislature used "found guilty" in lieu of the term "convicted" presumably for a reason and thus a guilty plea satisfies the statute.

Around Maryland



ALLEGANY COUNTY

The Circuit Court for Allegany County Family Services Program is investigating the development of a parenting program designed specifically for teens. An intern has been obtained from Frostburg State University to research the program.

BALTIMORE COUNTY

The Family Division staff is working on the development of an automated data management system to track, schedule, monitor, manage, and evaluate the various services offered in the Family Division of the Court.

CALVERT COUNTY

The Circuit Court for Calvert County Family Services Program has improved the Children's Psycho-Educational program. Four different age groups are now being served each quarter. This will allow all children in a family to complete the program in a quarter.

CARROLL COUNTY

The Carroll County Protective Order Advocacy and Representation Project (POARP) administered by the Women's Law Center has started with the hiring of a non-attorney legal advocate and two part-time attorneys.

CHARLES COUNTY

The Circuit Court for Charles County was approved for the National Council of Juvenile and Family Court Judges/Bureau of Justice Assistance/ U.S. Department of Justice curriculum for Juvenile Drug Courts.

DORCHESTER COUNTY

As of Dec. 10, the Circuit Court for Dorchester County has begun to have a mediation facilitator available on scheduling conference days. The mediation facilitator participates in the following capacities: review of files where mediation may be beneficial; courtroom

observation of the scheduling conference docket; and the facilitation of mediation with parties who agree to participate in alternative dispute resolution (ADR) on the day of their scheduling conference.

FREDERICK COUNTY

CINA mediation and follow-up meetings for mediators and stakeholders continue to organize for full implementation of the mediation program in child welfare cases which were expected to begin in March.

The Court also sponsored a conference for mental health professionals to help increase understanding of the family court process and increase communication between clinicians and lawyers involved in family law cases. The Board of Social Work Examiners approved the program for continuing education units for social workers.

KENT COUNTY

Day-of-Court Access Mediation: We Can Work It Out! is a new ADR program offered to pro se family law litigants at their first court appearance. These cases involve child support, custody, and visitation cases. Each month a mediator is present before the docket begins and parties are given the option of mediating any issues involving their children. Any agreements reached may be entered on the record at the time their case is heard. If a full agreement is reached, the parties can request the court to enter a consent agreement. Referrals can also be made for any identified needs of the family. Additional mediation sessions can be scheduled between the parties and the mediator. This program is produced with support from the Maryland Mediation and Conflict Resolution Office.

ST. MARY'S COUNTY

Funding for the Southern Maryland Regional Dependency Mediation Program was provided by the Foster Care Court Improvement Project (FC-

CIP) of the Department of Family Administration. The program is a joint venture between the circuit courts for St. Mary's and Calvert counties. The purpose of the grant was to provide expertise from a consultant to train mediators to conduct dependency mediation in CINA and Termination of Parental Rights (TPR) cases.

SOMERSET COUNTY

The Somerset County Health Department (SCHD) will assign an on site "court assessor" for the domestic docket. There is no fee and the staff person abbreviates the assessment to determine their drug of choice and family history and conducts a screening at the SCHD office (one block away).

"All About Children" classes began at the Lower Shore Family Center in October. Wicomico, Worcester, and Somerset counties are able to offer another resource to the courts and/or referring agencies when families are accessing the supervised visitation/monitored exchange program. A grant was provided to the Life Crisis Center by the Department of Family Administration.

The new ADR/Facilitators Program began in Masters' Court (Scheduling, Settlement Conferences or Merits Hearing) in December for those litigants who are able to resolve some or all of their domestic issues with the assistance of an experienced family law practitioner and court-approved mediator. If the parties have reached an agreement, the facilitator drafts the consent agreement which is placed on the record that day. It will not only address family issues more expeditiously, but also maintain the case flow assessment requirements.

WORCESTER COUNTY

The Worcester County Circuit Court was accepted into the Bureau of Justice Assistance's Juvenile Drug Court Training Program. In January, the Juvenile Drug Court Team attended the first of three training sessions required in order to be given grant funding priority for the implementation of a juvenile drug court program. In addition, the First Judicial Circuit has hired Tracy Hansford as its regional drug court coordinator.



Department of Family Administration

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Statewide Conference to Feature Substance Abuse in Families

Half of all children (35.6 million) live in a household where a parent or other adult uses tobacco, drinks heavily, or uses illicit drugs, according to a March, 2005 report published by the National Center on Addiction and Substance Abuse at Columbia University. It is not surprising that family court judges, masters, and court staff routinely deal with children beginning to experiment with alcohol, tobacco, and illegal drugs for the first time, with teenage addicts trapped in an environment that seems to offer no escape from addiction, and with adults struggling with family crises that are made many times worse by addiction.

In an effort to respond to the pervasiveness of addiction and substance abuse among families and children in family courts, the University of Baltimore School of Law's Center for Families, Children and the Courts (CFCC), in collaboration with the Administrative Office of the Courts Department of Family Administration, the Open Society Institute-Baltimore, and the American Bar Association's Standing Committee on Substance Abuse, is convening a conference for Maryland's family and juvenile court judges, masters, and court staff.

The one-day conference, "A Family Disease: The Impact of Addiction and Substance Abuse on Children, Families, Family Courts, and Communities," is scheduled for Friday, September Sept. 23, 2005, at the Loyola Conference Center in Timonium.

The goal of the conference is to provide the kind of information and expert guidance that will truly enable judges, masters, and staff to effectively address the abuse of alcohol and other drugs among the many children and families appearing in court. The conference will include sessions on the science of addiction, the role of the family court in addressing substance abuse and addiction, adolescent substance abuse and addiction, the effects of substance abuse and addiction on the family, confidentiality, screening and assessment, standards and measures for treatment, and treatment resources in Maryland.

Registration materials will be mailed out over the summer. For further information please contact Ms. Sharon Curley at 410-837-5615 or scurley@ubalt.edu.